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OFFICE OF PETITIONS

In re Application of :
Richard D. Goldberg, et al. :
Application No. 10/696,782 :
Filed: October 29, 2003 :
Attorney Docket No. 8446P01 USA :

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed June 29, 2005, to revive the above-identified application.

The petition is **GRANTED**.

The application became abandoned for failure to timely submit the issue and publication fees.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of the issue and publication fees; (2) the petition fee of \$1500; and (3) an adequate statement of unintentional delay.

The Office acknowledges receipt of the issue and publication fees, which were submitted with the petition.

37 CFR 1.137(b)(3) requires a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. Since the statement contained in the petition varies from the language required by 37 CFR 1.137(b)(3), the statement contained in the petition is being construed as the statement required by 37 CFR 1.137(b)(3). Petitioner must notify the Office if this is **not** a correct interpretation of the statement contained in the petition.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3223.

The application file is being referred to the Publishing Division to be processed into a patent.



Marianne E. Jenkins
Petitions Examiner
Office of Petitions